

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

IN THE MATTER OF:

**APPROVING SETTLEMENTS INVOLVING
INFANTS OR INCOMPETENT PERSONS
AND/OR APPOINTING GUARDIANS AND/OR
CONSERVATORS FOR SAME**

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ADMINISTRATIVE ORDER

NO. 97-018

It appearing that the appointment of guardians and/or conservators to oversee settlements for infants or incompetent persons is of utmost importance in insuring that all appropriate restrictions and safeguards, such as appropriate bond amounts and review dates, are in effect before funds are expended; it further appearing that consistency in the application of processes and procedures will be enhanced by referring such matters to the Probate Court,

IT IS ORDERED, effective immediately, affirming this court's existing policy concerning the appointment of guardians and/or conservators for infants or incompetent persons and the approval of settlements involving claims of infants or incompetent persons.

IT IS ORDERED, effective immediately, that all matters¹ concerning the appointment of guardians and/or conservators for infants or incompetent persons and the approval of settlements involving claims of infants or incompetent persons shall be assigned by the bench to the Probate Court, given a probate case number, and are to be resolved by judicial officers assigned to the Probate Court or any other judicial officer specifically designated in writing to do so by the Presiding Probate Judge.

This order does not in any way preclude other divisions of the court from appointing a guardian ad litem or next friend pursuant to Rule 17, Arizona Rules of Civil Procedure, or from making a formal determination whether a settlement is made in good faith pursuant to Rule 16.1, Arizona Rules of Civil Procedure.

Dated this 14th day of April, 1997.

Hon. Robert D. Myers
Presiding Judge

Original: Clerk of the Superior Court

1. There is one exception. A.R.S. §14-5103 governs payments to minors of less than five thousand dollars (\$5,000.00). Conservatorships in such cases may be appropriate but are not required.